

Replacing ECF Nos. 577 (MDL No. 17-2795) and ECF No. 213 (Civ. No. 18-296)

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: CENTURYLINK SALES
PRACTICES AND SECURITIES
LITIGATION

MDL No. 17-2795 (MJD/KMM)

This Document Relates to:
Civil File No. 18-296 (MJD/KMM)

**CORRECTED DECLARATION OF MICHAEL D. BLATCHLEY IN SUPPORT
OF PLAINTIFFS' MOTION TO COMPEL DISCOVERY**

I, Michael D. Blatchley, declare:

1. I am a partner at the law firm of Bernstein Litowitz Berger & Grossmann LLP ("Bernstein Litowitz"), and together with Stoll Stoll Berne Lokting & Shlachter P.C. ("Stoll Berne"), serve as Lead Counsel for the proposed Class in this action. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto. I submit this declaration in support of Plaintiffs' Motion to Compel Discovery.

2. Attached as Exhibits A through CC are true and correct copies of the following documents:

EXHIBIT A: Press release from the Colorado Attorney General titled, "Attorney General Phil Weiser announces CenturyLink will pay \$8,476,000 for charging hidden fees, overbilling Colorado," dated December 19, 2019.

EXHIBIT B: Press release from the Minnesota Attorney General titled, "Attorney General Ellison obtains nearly \$9 million

settlement with CenturyLink for overcharging Minnesota customers,” dated January 8, 2020.

EXHIBIT C: Press release from the Washington Attorney General titled, “AG Ferguson: CenturyLink will Pay \$6.1 million over Hidden Fees Affecting 650,000 Washingtonians,” dated December 10, 2019.

EXHIBIT D: May 6, 2015 Email from Jennifer M. Martin to Lorna Christian, Bates-stamped CTLMNSEC00015392-15396.

EXHIBIT E: Email from Patrick Gibbs to Michael D. Blatchley dated August 19, 2019.

EXHIBIT F: Plaintiffs’ First Request for Production of Documents to Defendant CenturyLink, Inc. dated September 4, 2019.

CORRECTED EXHIBIT G: Defendant CenturyLink’s Responses & Objections to Plaintiffs’ First Set of Interrogatories dated October 4, 2019.¹

EXHIBIT H: Plaintiffs’ Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) dated September 17, 2019.

EXHIBIT I: Defendants’ Initial Disclosures Pursuant to Fed. R. Civ. P. 26(a)(1) dated September 17, 2019.

EXHIBIT J: Defendants’ Supplemental Rule 26.01(a) Initial Disclosures dated August 14, 2019, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud. Dist., Anoka Cty.), Bates-stamped CTLMNSEC00015417-15424.

EXHIBIT K: Press Release from CenturyLink titled, “CenturyLink announces conclusion of Special Committee investigation,” dated December 7, 2017.

EXHIBIT L: Order Enforcing Prior Discovery Order & Granting Sanctions dated June 25, 2019, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud.

¹ On February 25, 2020, Plaintiffs inadvertently filed Plaintiffs’ first set of interrogatories as Exhibit G, rather than Defendants’ responses to those interrogatories. The other exhibits to the declaration remain the same.

Dist., Anoka Cty.), Bates-stamped CTLMNSEC00020867-20869.

EXHIBIT M: Order on State's Motion for Sanctions dated October 15, 2019, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud. Dist., Anoka Cty.), Bates-stamped CTLMNSEC00132140-132141.

EXHIBIT N: Transcript of Pretrial Conference before Judge Menendez dated October 1, 2019, *In re CenturyLink Sales Practices and Sec. Litig.*, MDL No. 17-2795 (D. Minn.).

EXHIBIT O: Email from Michael D. Blatchley to Ryan Blair dated February 25, 2020.

EXHIBIT P: The State's Memorandum of Law in Support of its Third Motion to Compel Discovery, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud. Dist., Anoka Cty.), Bates-stamped CTLMNSEC00021957-21968.

EXHIBIT Q: Letter from Michael D. Blatchley to Patrick Gibbs dated October 15, 2019.

EXHIBIT R: Letter from Patrick Gibbs to Michael D. Blatchley dated October 21, 2019.

EXHIBIT S: Defendants' Memorandum in Opposition to the State's Third Motion to Compel Discovery, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud. Dist., Anoka Cty.), Bates-stamped CTLMNSEC00022505-22514.

EXHIBIT T: Letter from Michael D. Blatchley to Sarah Lightdale dated November 7, 2019

EXHIBIT U: Affidavit of Dana Moss in Opposition to the State's Third Motion to Compel, *State of Minnesota v. CenturyTel*, No. 02-CV-17-3488 (Minn. Dist. Ct., 10th Jud. Dist., Anoka Cty.), Bates-stamped CTLMNSEC00022439-22442.

- EXHIBIT V:** Letter from Sarah Lightdale to Michael D. Blatchley dated November 19, 2019.
- EXHIBIT W:** Letter from Michael D. Blatchley to Bryan Koch dated February 3, 2020.
- EXHIBIT X:** Letter from Bryan Koch to Michael D. Blatchley dated February 14, 2020.
- EXHIBIT Y:** Email from Bryan Koch to Julia Tebor dated January 27, 2020.
- EXHIBIT Z:** Letter from Patrick Gibbs to Michael D. Blatchley dated November 4, 2019.
- EXHIBIT AA:** CenturyLink's Form 8-K filed with the United States Securities Exchange Commission on January 16, 2020.
- EXHIBIT BB:** Press release from the Oregon Attorney General titled, "AG Rosenblum Announces \$4 Million Settlement with CenturyLink," dated December 31, 2019.
- EXHIBIT CC:** Email from Julia Tebor to CenturyLink's counsel dated January 10, 2020.

I certify under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED this 22nd day of April, 2020.

**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**

By: /s/ Michael D. Blatchley

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